

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI
EASTERN DISTRICT**

| | | |
|--------------------------------|---|----------------------------|
| TNT AMUSEMENTS, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:23-cv-00330-JAR |
| |) | |
| TORCH ELECTRONICS, LLC, et al. |) | |
| |) | |
| Defendants. |) | |

JOINT PROPOSED SCHEDULING PLAN

Plaintiff TNT Amusements, Inc. and Defendants Torch Electronics, LLC, Steven Miltenberger, and Sondra Miltenberger (together, the “Parties”) respectfully submit the following Joint Proposed Scheduling Plan in response to the Court’s Order (Doc. #175) (the “Order”). After conferring in good faith, the Parties have reached an agreement as to the following scheduling plan.

1. **Trial.** The Court has set this matter for trial on **Monday, July 22, 2024**, at **9:00 a.m.** at the Thomas F. Eagleton U.S. Courthouse in Saint Louis, Missouri. *See* Order (Doc. #175). The Parties estimate that the trial will last no longer than five (5) days.

2. **Defendants’ Expert Reports.** Defendants shall have until **Thursday, April 18, 2024** to produce any rebuttal expert report of Steve W. Browne and/or Preston E. Herman of MWB relating to the supplemental expert report of Robert Kneuper. Defendants shall have until **Thursday, April 18, 2024** to produce any rebuttal expert report of Nick Farley relating to the supplemental reports of Stacy Friedman.

3. **Deposition of Stacy Friedman.** Defendants shall have until **Thursday, April 18, 2024** to conduct any continued deposition of Stacy Friedman regarding the subjects of his supplemental reports.

4. **Deposition of MWB and Nick Farley.** Plaintiff shall have until **Tuesday, April 30, 2024** to conduct any deposition of Steve W. Browne and/or Preston E. Herman of Meara Welch Browne, P.C. (“MWB”) regarding the subjects of their rebuttal report. Plaintiff shall have until **April 30, 2024**, to conduct any continued deposition of Nick Farley on the subject of his rebuttal report.

5. **Daubert Motions.** All motions to strike expert designations or preclude expert testimony premised on *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993) permitted by this Court’s Order shall be filed on or before **Thursday, May 9, 2024**. Any response to such a motion shall be due on **Thursday, May 16, 2024**, and any reply in support of such a motion shall be due on **Wednesday May 22, 2024**. Failure to file a *Daubert* motion by this deadline constitutes forfeiture of any argument based on *Daubert*. This deadline does not apply to motions *in limine* relating to expert witness testimony.

6. **Final Pretrial Conference.** The Court has set the final pretrial conference to be held on **Thursday, July 18, 2024**. *See* Order (Doc. #175). The Parties agree that all trial-related deadlines reflected in this Court’s original Case Management Order (Doc. #45) should be amended to be based on the new agreed trial date.

Dated: April 1, 2024

Respectfully submitted,

BRYAN CAVE LEIGHTON
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/s/ Richard E. Finneran

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CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2024, a copy of the foregoing was served on all counsel of record by operation of the Court's electronic filing system.

/s/ Richard E. Finneran
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